

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HOWARD JOHNSON, :
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Plaintiff, :
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-v- :
:
METROPOLITAN TRANSIT AUTHORITY, :
et al. :
:
Defendants. :
:
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1:19-cv-07606-GHW

ORDER

GREGORY H. WOODS, United States District Judge:


Defendants removed this action to federal court on August 14, 2019 under 28 U.S.C. § 1331. As the basis for this Court's federal question jurisdiction, Defendants asserted that then-defendant National Railroad Passenger Corporation d/b/a Amtrak is a federally chartered and federally owned corporation under 28 U.S.C § 1331, and any actions involving a federally chartered and federally owned corporation arise under federal law within the meaning of 28 U.S.C. § 1331. *See* Dkt No. 1. On February 28, 2020, the parties notified the Court that Plaintiff stipulated to the dismissal of this action against defendants National Railroad Passenger Corporation and Amtrak pursuant to Federal Rule of Civil Procedure 41(a)(1)(a)(i). *See* Dkt. No. 13. The Court then dismissed the action as to those defendants. Dkt. No. 14.

Because the dismissal of these defendants has removed federal question jurisdiction, and because the joinder of those defendants was the only basis for the Court to exercise jurisdiction over this action, the parties' application under 29 U.S.C. § 1447(c) to remand this case is granted. Accordingly, the Court orders that the case be remanded to the Supreme Court of the State of New York, County of New York.

The Clerk of Court is directed to remand this case to the Supreme Court of the State of New York, County of New York. The Clerk of Court is further directed to terminate all pending motions, adjourn all remaining dates, and to close this case.

SO ORDERED.

Dated: March 1, 2020
New York, New York



GREGORY H. WOODS
United States District Judge